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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,524	02/11/2002	Michael A. Luke	HON 1448-019B	6155
8698	7590	02/11/2004		
STANLEY LAW GROUP LLP 495 METRO PLACE SOUTH SUITE 210 DUBLIN, OH 43017			EXAMINER OMGBA, ESSAMA	
			ART UNIT 3726	PAPER NUMBER

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/073,524	LUKE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Essama Omgbra	3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/19/02.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "single force exerting device releasably attached to and adapted to move more than one movable core" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 3 is objected to because of the following informalities: "a" in line 1 should read --the--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, and 4-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Richardson (US patent 5,843,494).

With regards to claims 1, 2, 4, 17-20, 24 Applicant, at pages 1-4 of the specification to be known as AAPA, discloses a method of spotting a movable mold core to a mold half wherein a mold is placed on a work table or apparatus and a movable core is placed by hand into proper relation with the mold half and checked for fit by placing spotting compound on areas of concern and manually causing the movable core to be set to and retracted from the mold, repeating the adjusting until there is a perfect fit, manipulation being also done with the use of cranes, pry bars hammers or other tools. AAPA does not disclose at least one force exerting device affixed to a portion of the support structure and having a moving portion releasably attached to at least one movable core such that activation of the at least one force exerting device the movable core may be moved through a desired range of motion as often as necessary during the process of spotting the movable core to the mold. However Richardson teaches such force exerting device 40, see column 1, lines 39-62. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided AAPA with a force exerting device, in light of the teachings of Richardson, in order to easily and securely move a movable core.

For claims 5-7, Applicant should note that it is within the general knowledge of one of ordinary skill in the art to provide proper actuation for the force exerting device and provide different force exerting devices for molds of different sizes.

For claim 8, see element 68.

For claims 9-11, see column 1, lines 31-36 and column 2, lines 45-64.

For claims 12-14 and 21-23, Applicant should note that it is within the general knowledge of one of ordinary skill in the art to properly position the mold on the support structure.

For claims 15 and 16, Applicant should note that the particular location of the force exerting device is an obvious matter of design choice that will be determined by the relative position of the core and the mold.

For claims 25 and 26, see column 3, lines 7-9. Applicant should note that

For claim 27, Applicant should note that moving the movable cores individually or in groups of various numbers is within the general knowledge of one of ordinary skill in the art.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA/Richardson as applied to claim 1 above, and further in view of Gardner, Jr. (US Patent 4,825,656).

AAPA/Richardson discloses a movable mold core spotting apparatus as shown above except for the single force exerting device being releasably attached to and otherwise adapted to move more than one movable core. However Gardner, Jr. teaches a standard air or hydraulic cylinder having either a single or double rod for driving one or several elements, see column 5, lines 42-51. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have used a double

rod hydraulic cylinder in the apparatus of AAPA/Richardson, in light of the teachings of Gardner, Jr., in order to be able to move several cores and save on time.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgbra whose telephone number is (703) 305-2915. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

eo *EO*  
February 7, 2004

